

1 A bill to be entitled
2 An act relating to dental therapy; amending s.
3 409.906, F.S.; authorizing Medicaid to reimburse for
4 dental services provided in a mobile dental unit under
5 certain circumstances; amending s. 466.001, F.S.;
6 revising legislative purpose and intent; amending s.
7 466.002, F.S.; providing applicability; reordering and
8 amending s. 466.003, F.S.; defining the terms "dental
9 therapist" and "dental therapy"; revising the
10 definition of the term "health access setting" to
11 include certain dental therapy programs; amending s.
12 466.004, F.S.; requiring the chair of the Board of
13 Dentistry to appoint a Council on Dental Therapy
14 effective after a specified timeframe; providing for
15 membership, meetings, and the purpose of the council;
16 amending s. 466.006, F.S.; revising the definition of
17 the terms "full-time practice" and "full-time practice
18 of dentistry within the geographic boundaries of this
19 state within 1 year" to include full-time faculty
20 members of certain dental therapy schools; amending s.
21 466.0075, F.S.; authorizing the board to require any
22 person who applies to take the examination to practice
23 dental therapy in this state to maintain medical
24 malpractice insurance in certain amounts; amending s.
25 466.009, F.S.; requiring the Department of Health to

26 allow any person who fails the dental therapy
27 examination to retake the examination; providing that
28 a person who fails one part or procedure of a
29 practical or clinical examination may be required to
30 retake only that part or procedure to pass the
31 examination; amending s. 466.011, F.S.; requiring the
32 board to certify applicants for licensure as a dental
33 therapist; creating s. 466.0136, F.S.; requiring the
34 board to require each licensed dental therapist to
35 complete a specified number of hours of continuing
36 education; requiring the board to adopt rules and
37 guidelines; authorizing the board to excuse licensees
38 from continuing education requirements in certain
39 circumstances; amending s. 466.016, F.S.; requiring a
40 practitioner of dental therapy to post and display her
41 or his license in each office where she or he
42 practices; amending s. 466.017, F.S.; requiring the
43 board to adopt certain rules relating to dental
44 therapists; authorizing a dental therapist to perform
45 specified dental therapy services under the general
46 supervision of a dentist under certain conditions;
47 correcting a term; amending s. 466.018, F.S.;

48 providing that a dentist remains primarily responsible
49 for the dental treatment of a patient regardless of
50 whether the treatment is provided by a dental

51 therapist; requiring the initials of a dental
52 therapist who renders treatment to a patient to be
53 placed in the record of the patient; creating s.
54 466.0225, F.S.; providing application requirements and
55 examination and licensure qualifications for dental
56 therapists; creating s. 466.0227, F.S.; providing
57 legislative findings and intent; limiting the practice
58 of dental therapy to specified settings; authorizing a
59 dental therapist to perform specified services under
60 the general supervision of a dentist under certain
61 conditions; specifying state-specific dental therapy
62 services; requiring a collaborative management
63 agreement to be signed by a supervising dentist and a
64 dental therapist and to include certain information;
65 requiring the supervising dentist to determine the
66 number of hours of practice that a dental therapist
67 must complete before performing certain authorized
68 services; authorizing a supervising dentist to
69 restrict or limit the dental therapist's practice in a
70 collaborative management agreement; providing that a
71 supervising dentist may authorize a dental therapist
72 to provide dental therapy services to a patient before
73 the dentist examines or diagnoses the patient under
74 certain conditions; requiring a supervising dentist to
75 be licensed and practicing in this state; providing

76 | that the supervising dentist is responsible for
77 | certain services; amending s. 466.026, F.S.; providing
78 | criminal penalties for practicing dental therapy
79 | without an active license, selling or offering to sell
80 | a diploma from a dental therapy school or college,
81 | falsely using a specified name or initials or holding
82 | herself or himself out as an actively licensed dental
83 | therapist; amending s. 466.028, F.S.; revising grounds
84 | for denial of a license or disciplinary action to
85 | include the practice of dental therapy; amending s.
86 | 466.0285, F.S.; prohibiting persons other than
87 | licensed dentists from employing a dental therapist in
88 | the operation of a dental office and from controlling
89 | the use of any dental equipment or material in certain
90 | circumstances; requiring the department, in
91 | consultation with the board and the Agency for Health
92 | Care Administration, to provide reports to the
93 | Legislature by specified dates; requiring that certain
94 | information and recommendations be included in the
95 | reports; providing an effective date.

96 |
97 | Be It Enacted by the Legislature of the State of Florida:

98 |
99 | Section 1. Paragraph (c) of subsection (1) of section
100 | 409.906, Florida Statutes, is amended, and paragraph (e) is

101 added to subsection (6) of that section, to read:

102 409.906 Optional Medicaid services.—Subject to specific
103 appropriations, the agency may make payments for services which
104 are optional to the state under Title XIX of the Social Security
105 Act and are furnished by Medicaid providers to recipients who
106 are determined to be eligible on the dates on which the services
107 were provided. Any optional service that is provided shall be
108 provided only when medically necessary and in accordance with
109 state and federal law. Optional services rendered by providers
110 in mobile units to Medicaid recipients may be restricted or
111 prohibited by the agency. Nothing in this section shall be
112 construed to prevent or limit the agency from adjusting fees,
113 reimbursement rates, lengths of stay, number of visits, or
114 number of services, or making any other adjustments necessary to
115 comply with the availability of moneys and any limitations or
116 directions provided for in the General Appropriations Act or
117 chapter 216. If necessary to safeguard the state's systems of
118 providing services to elderly and disabled persons and subject
119 to the notice and review provisions of s. 216.177, the Governor
120 may direct the Agency for Health Care Administration to amend
121 the Medicaid state plan to delete the optional Medicaid service
122 known as "Intermediate Care Facilities for the Developmentally
123 Disabled." Optional services may include:

124 (1) ADULT DENTAL SERVICES.—

125 (c) However, Medicaid will not provide reimbursement for

126 dental services provided in a mobile dental unit, except for a
127 mobile dental unit:

128 1. Owned by, operated by, or having a contractual
129 agreement with the Department of Health and complying with
130 Medicaid's county health department clinic services program
131 specifications as a county health department clinic services
132 provider.

133 2. Owned by, operated by, or having a contractual
134 arrangement with a federally qualified health center and
135 complying with Medicaid's federally qualified health center
136 specifications as a federally qualified health center provider.

137 3. Rendering dental services to Medicaid recipients, 21
138 years of age and older, at nursing facilities.

139 4. Owned by, operated by, or having a contractual
140 agreement with a state-approved dental educational institution.

141 5. Owned by, operated by, or having a contractual
142 agreement with a health access setting, as defined in s.
143 466.003, or a similar setting or program that serves underserved
144 or vulnerable populations that face serious barriers to
145 accessing dental services, which may include, but is not limited
146 to, Early Head Start programs, homeless shelters, schools, and
147 the Special Supplemental Nutrition Program for Women, Infants,
148 and Children.

149 (6) CHILDREN'S DENTAL SERVICES.—The agency may pay for
150 diagnostic, preventive, or corrective procedures, including

151 orthodontia in severe cases, provided to a recipient under age
152 21, by or under the supervision of a licensed dentist. The
153 agency may also reimburse a health access setting as defined in
154 s. 466.003 for the remediable tasks that a licensed dental
155 hygienist is authorized to perform under s. 466.024(2). Services
156 provided under this program include treatment of the teeth and
157 associated structures of the oral cavity, as well as treatment
158 of disease, injury, or impairment that may affect the oral or
159 general health of the individual. However, Medicaid will not
160 provide reimbursement for dental services provided in a mobile
161 dental unit, except for a mobile dental unit:

162 (e) Owned by, operated by, or having a contractual
163 agreement with a health access setting, as defined in s.
164 466.003, or a similar setting or program that serves underserved
165 or vulnerable populations that face serious barriers to
166 accessing dental services, which may include, but is not limited
167 to, Early Head Start programs, homeless shelters, schools, and
168 the Special Supplemental Nutrition Program for Women, Infants,
169 and Children.

170 Section 2. Section 466.001, Florida Statutes, is amended
171 to read:

172 466.001 Legislative purpose and intent.—The legislative
173 purpose for enacting this chapter is to ensure that every
174 dentist, dental therapist, or dental hygienist practicing in
175 this state meets minimum requirements for safe practice without

176 undue clinical interference by persons not licensed under this
177 chapter. It is the legislative intent that dental services be
178 provided only in accordance with ~~the provisions of~~ this chapter
179 and not be delegated to unauthorized individuals. It is the
180 further legislative intent that dentists, dental therapists, and
181 dental hygienists who fall below minimum competency or who
182 otherwise present a danger to the public shall be prohibited
183 from practicing in this state. All provisions of this chapter
184 relating to the practice of dentistry, dental therapy, and
185 dental hygiene shall be liberally construed to carry out such
186 purpose and intent.

187 Section 3. Subsections (5) and (6) of section 466.002,
188 Florida Statutes, are amended to read:

189 466.002 Persons exempt from operation of chapter.—Nothing
190 in this chapter shall apply to the following practices, acts,
191 and operations:

192 (5) Students in Florida schools of dentistry, dental
193 therapy, and dental hygiene or dental assistant educational
194 programs, while performing regularly assigned work under the
195 curriculum of such schools.

196 (6) Instructors in Florida schools of dentistry,
197 instructors in dental programs that prepare persons holding
198 D.D.S. or D.M.D. degrees for certification by a specialty board
199 and that are accredited in the United States by January 1, 2005,
200 in the same manner as the board recognizes accreditation for

201 Florida schools of dentistry that are not otherwise affiliated
202 with a Florida school of dentistry, or instructors in Florida
203 schools of dental therapy and dental hygiene or dental assistant
204 educational programs, while performing regularly assigned
205 instructional duties under the curriculum of such schools or
206 programs. A full-time dental instructor at a dental school or
207 dental program approved by the board may be allowed to practice
208 dentistry at the teaching facilities of such school or program,
209 upon receiving a teaching permit issued by the board, in strict
210 compliance with such rules as are adopted by the board
211 pertaining to the teaching permit and with the established rules
212 and procedures of the dental school or program as recognized in
213 this section.

214 Section 4. Section 466.003, Florida Statutes, is reordered
215 and amended to read:

216 466.003 Definitions.—As used in this chapter:

217 (1) "Board" means the Board of Dentistry.

218 (2)~~(6)~~ "Dental assistant" means a person, other than a
219 dental hygienist, who, under the supervision and authorization
220 of a dentist, provides dental care services directly to a
221 patient. This term shall not include a certified registered
222 nurse anesthetist licensed under part I of chapter 464.

223 (3)~~(4)~~ "Dental hygiene" means the rendering of
224 educational, preventive, and therapeutic dental services
225 pursuant to ss. 466.023 and 466.024 and any related extra-oral

226 | procedure required in the performance of such services.

227 | ~~(4)-(5)~~ "Dental hygienist" means a person licensed to
 228 | practice dental hygiene pursuant to this chapter.

229 | (5) "Dental therapist" means a person licensed to practice
 230 | dental therapy pursuant to s. 466.0225.

231 | (6) "Dental therapy" means the rendering of services
 232 | pursuant to s. 466.0227 and any related extraoral services or
 233 | procedures required in the performance of such services.

234 | ~~(7)-(2)~~ "Dentist" means a person licensed to practice
 235 | dentistry pursuant to this chapter.

236 | ~~(8)-(3)~~ "Dentistry" means the healing art which is
 237 | concerned with the examination, diagnosis, treatment planning,
 238 | and care of conditions within the human oral cavity and its
 239 | adjacent tissues and structures. It includes the performance or
 240 | attempted performance of any dental operation, or oral or oral-
 241 | maxillofacial surgery and any procedures adjunct thereto,
 242 | including physical evaluation directly related to such operation
 243 | or surgery pursuant to hospital rules and regulations. It also
 244 | includes dental service of any kind gratuitously or for any
 245 | remuneration paid, or to be paid, directly or indirectly, to any
 246 | person or agency. The term "dentistry" shall also include the
 247 | following:

248 | (a) The taking of an impression of the human tooth, teeth,
 249 | or jaws directly or indirectly and by any means or method.

250 | (b) Supplying artificial substitutes for the natural teeth

251 or furnishing, supplying, constructing, reproducing, or
 252 repairing any prosthetic denture, bridge, appliance, or any
 253 other structure designed to be worn in the human mouth except on
 254 the written work order of a duly licensed dentist.

255 (c) The placing of an appliance or structure in the human
 256 mouth or the adjusting or attempting to adjust the same.

257 (d) Delivering the same to any person other than the
 258 dentist upon whose work order the work was performed.

259 (e) Professing to the public by any method to furnish,
 260 supply, construct, reproduce, or repair any prosthetic denture,
 261 bridge, appliance, or other structure designed to be worn in the
 262 human mouth.

263 (f) Diagnosing, prescribing, or treating or professing to
 264 diagnose, prescribe, or treat disease, pain, deformity,
 265 deficiency, injury, or physical condition of the human teeth or
 266 jaws or oral-maxillofacial region.

267 (g) Extracting or attempting to extract human teeth.

268 (h) Correcting or attempting to correct malformations of
 269 teeth or of jaws.

270 (i) Repairing or attempting to repair cavities in the
 271 human teeth.

272 (9)~~(7)~~ "Department" means the Department of Health.

273 (10)~~(8)~~ "Direct supervision" means supervision whereby a
 274 dentist diagnoses the condition to be treated, a dentist
 275 authorizes the procedure to be performed, a dentist remains on

276 | the premises while the procedures are performed, and a dentist
277 | approves the work performed before dismissal of the patient.

278 | ~~(11)-(10)~~ "General supervision" means supervision whereby a
279 | dentist authorizes the procedures which are being carried out
280 | but need not be present when the authorized procedures are being
281 | performed. The authorized procedures may also be performed at a
282 | place other than the dentist's usual place of practice. The
283 | issuance of a written work authorization to a commercial dental
284 | laboratory by a dentist does not constitute general supervision.

285 | ~~(12)-(14)~~ "Health access setting" means a program or an
286 | institution of the Department of Children and Families, the
287 | Department of Health, the Department of Juvenile Justice, a
288 | nonprofit community health center, a Head Start center, a
289 | federally qualified health center or look-alike as defined by
290 | federal law, a school-based prevention program, a clinic
291 | operated by an accredited college of dentistry, or an accredited
292 | dental hygiene or dental therapy program in this state if such
293 | community service program or institution immediately reports to
294 | the Board of Dentistry all violations of s. 466.027, s. 466.028,
295 | or other practice act or standard of care violations related to
296 | the actions or inactions of a dentist, dental hygienist, dental
297 | therapist, or dental assistant engaged in the delivery of dental
298 | care in such setting.

299 | ~~(13)-(9)~~ "Indirect supervision" means supervision whereby a
300 | dentist authorizes the procedure and a dentist is on the

301 premises while the procedures are performed.

302 (14)~~(11)~~ "Irremediable tasks" are those intraoral
303 treatment tasks which, when performed, are irreversible and
304 create unalterable changes within the oral cavity or the
305 contiguous structures or which cause an increased risk to the
306 patient. The administration of anesthetics other than topical
307 anesthesia is considered to be an "irremediable task" for
308 purposes of this chapter.

309 (15)~~(13)~~ "Oral and maxillofacial surgery" means the
310 specialty of dentistry involving diagnosis, surgery, and
311 adjunctive treatment of diseases, injuries, and defects
312 involving the functional and esthetic aspects of the hard and
313 soft tissues of the oral and maxillofacial regions. This term
314 may not be construed to apply to any individual exempt under s.
315 466.002(1).

316 (16)~~(12)~~ "Remediable tasks" are those intraoral treatment
317 tasks which are reversible and do not create unalterable changes
318 within the oral cavity or the contiguous structures and which do
319 not cause an increased risk to the patient.

320 (17)~~(15)~~ "School-based prevention program" means
321 preventive oral health services offered at a school by one of
322 the entities defined in subsection (12) ~~(14)~~ or by a nonprofit
323 organization that is exempt from federal income taxation under
324 s. 501(a) of the Internal Revenue Code, and described in s.
325 501(c) (3) of the Internal Revenue Code.

326 Section 5. Subsection (2) of section 466.004, Florida
 327 Statutes, is amended to read:

328 466.004 Board of Dentistry.—

329 (2) To advise the board, it is the intent of the
 330 Legislature that councils be appointed as specified in
 331 paragraphs (a)-(d) ~~(a), (b), and (c)~~. The department shall
 332 provide administrative support to the councils and shall provide
 333 public notice of meetings and agenda of the councils. Councils
 334 shall include at least one board member who shall chair the
 335 council and shall include nonboard members. All council members
 336 shall be appointed by the board chair. Council members shall be
 337 appointed for 4-year terms, and all members shall be eligible
 338 for reimbursement of expenses in the manner of board members.

339 (a) A Council on Dental Hygiene shall be appointed by the
 340 board chair and shall include one dental hygienist member of the
 341 board, who shall chair the council, one dental member of the
 342 board, and three dental hygienists who are actively engaged in
 343 the practice of dental hygiene in this state. In making the
 344 appointments, the chair shall consider recommendations from the
 345 Florida Dental Hygienists' ~~Hygiene~~ Association. The council
 346 shall meet at the request of the board chair, a majority of the
 347 members of the board, or the council chair; however, the council
 348 must meet at least three times a year. The council is charged
 349 with the responsibility of and shall meet for the purpose of
 350 developing rules and policies for recommendation to the board,

351 | which the board shall consider, on matters pertaining to that
352 | part of dentistry consisting of educational, preventive, or
353 | therapeutic dental hygiene services; dental hygiene licensure,
354 | discipline, or regulation; and dental hygiene education. Rule
355 | and policy recommendations of the council shall be considered by
356 | the board at its next regularly scheduled meeting in the same
357 | manner in which it considers rule and policy recommendations
358 | from designated subcommittees of the board. Any rule or policy
359 | proposed by the board pertaining to the specified part of
360 | dentistry defined by this subsection shall be referred to the
361 | council for a recommendation before final action by the board.
362 | The board may take final action on rules pertaining to the
363 | specified part of dentistry defined by this subsection without a
364 | council recommendation if the council fails to submit a
365 | recommendation in a timely fashion as prescribed by the board.

366 | (b) A Council on Dental Assisting shall be appointed by
367 | the board chair and shall include one board member who shall
368 | chair the council and three dental assistants who are actively
369 | engaged in dental assisting in this state. The council shall
370 | meet at the request of the board chair or a majority of the
371 | members of the board. The council shall meet for the purpose of
372 | developing recommendations to the board on matters pertaining to
373 | that part of dentistry related to dental assisting.

374 | (c) Effective 28 months after the first dental therapy
375 | license is granted by the board, a Council on Dental Therapy

376 shall be appointed by the board chair and shall include one
377 board member who shall chair the council and three dental
378 therapists who are actively engaged in the practice of dental
379 therapy in this state. The council shall meet at the request of
380 the board chair, a majority of the members of the board, or the
381 council chair; however, the council must meet at least three
382 times per year. The council is charged with the responsibility
383 of, and shall meet for the purpose of, developing rules and
384 policies for recommendation to the board on matters pertaining
385 to that part of dentistry consisting of educational,
386 preventative, or therapeutic dental therapy services; dental
387 therapy licensure, discipline, or regulation; and dental therapy
388 education. Rule and policy recommendations of the council must
389 be considered by the board at its next regularly scheduled
390 meeting in the same manner in which it considers rule and policy
391 recommendations from designated subcommittees of the board. Any
392 rule or policy proposed by the board pertaining to the specified
393 part of dentistry defined by this subsection must be referred to
394 the council for a recommendation before final action by the
395 board. The board may take final action on rules pertaining to
396 the specified part of dentistry defined by this subsection
397 without a council recommendation if the council fails to submit
398 a recommendation in a timely fashion as prescribed by the board.

399 (d)-(e) With the concurrence of the State Surgeon General,
400 the board chair may create and abolish other advisory councils

401 relating to dental subjects, including, but not limited to:
402 examinations, access to dental care, indigent care, nursing home
403 and institutional care, public health, disciplinary guidelines,
404 and other subjects as appropriate. Such councils shall be
405 appointed by the board chair and shall include at least one
406 board member who shall serve as chair.

407 Section 6. Subsection (4) and paragraph (b) of subsection
408 (6) of section 466.006, Florida Statutes, are amended to read:

409 466.006 Examination of dentists.—

410 (4) Notwithstanding any other provision of law in chapter
411 456 pertaining to the clinical dental licensure examination or
412 national examinations, to be licensed as a dentist in this
413 state, an applicant must successfully complete the following:

414 (a) A written examination on the laws and rules of the
415 state regulating the practice of dentistry;

416 (b)1. A practical or clinical examination, which shall be
417 the American Dental Licensing Examination produced by the
418 American Board of Dental Examiners, Inc., or its successor
419 entity, if any, that is administered in this state and graded by
420 dentists licensed in this state and employed by the department
421 for just such purpose, provided that the board has attained, and
422 continues to maintain thereafter, representation on the board of
423 directors of the American Board of Dental Examiners, the
424 examination development committee of the American Board of
425 Dental Examiners, and such other committees of the American

426 Board of Dental Examiners as the board deems appropriate by rule
427 to assure that the standards established herein are maintained
428 organizationally. A passing score on the American Dental
429 Licensing Examination administered in this state and graded by
430 dentists who are licensed in this state is valid for 365 days
431 after the date the official examination results are published.

432 2.a. As an alternative to the requirements of subparagraph
433 1., an applicant may submit scores from an American Dental
434 Licensing Examination previously administered in a jurisdiction
435 other than this state after October 1, 2011, and such
436 examination results shall be recognized as valid for the purpose
437 of licensure in this state. A passing score on the American
438 Dental Licensing Examination administered out-of-state shall be
439 the same as the passing score for the American Dental Licensing
440 Examination administered in this state and graded by dentists
441 who are licensed in this state. The examination results are
442 valid for 365 days after the date the official examination
443 results are published. The applicant must have completed the
444 examination after October 1, 2011.

445 b. This subparagraph may not be given retroactive
446 application.

447 3. If the date of an applicant's passing American Dental
448 Licensing Examination scores from an examination previously
449 administered in a jurisdiction other than this state under
450 subparagraph 2. is older than 365 days, then such scores shall

451 nevertheless be recognized as valid for the purpose of licensure
452 in this state, but only if the applicant demonstrates that all
453 of the following additional standards have been met:

454 a.(I) The applicant completed the American Dental
455 Licensing Examination after October 1, 2011.

456 (II) This sub-subparagraph may not be given retroactive
457 application;

458 b. The applicant graduated from a dental school accredited
459 by the American Dental Association Commission on Dental
460 Accreditation or its successor entity, if any, or any other
461 dental accrediting organization recognized by the United States
462 Department of Education. Provided, however, if the applicant did
463 not graduate from such a dental school, the applicant may submit
464 proof of having successfully completed a full-time supplemental
465 general dentistry program accredited by the American Dental
466 Association Commission on Dental Accreditation of at least 2
467 consecutive academic years at such accredited sponsoring
468 institution. Such program must provide didactic and clinical
469 education at the level of a D.D.S. or D.M.D. program accredited
470 by the American Dental Association Commission on Dental
471 Accreditation;

472 c. The applicant currently possesses a valid and active
473 dental license in good standing, with no restriction, which has
474 never been revoked, suspended, restricted, or otherwise
475 disciplined, from another state or territory of the United

476 States, the District of Columbia, or the Commonwealth of Puerto
477 Rico;

478 d. The applicant submits proof that he or she has never
479 been reported to the National Practitioner Data Bank, the
480 Healthcare Integrity and Protection Data Bank, or the American
481 Association of Dental Boards Clearinghouse. This sub-
482 subparagraph does not apply if the applicant successfully
483 appealed to have his or her name removed from the data banks of
484 these agencies;

485 e.(I) In the 5 years immediately preceding the date of
486 application for licensure in this state, the applicant must
487 submit proof of having been consecutively engaged in the full-
488 time practice of dentistry in another state or territory of the
489 United States, the District of Columbia, or the Commonwealth of
490 Puerto Rico, or, if the applicant has been licensed in another
491 state or territory of the United States, the District of
492 Columbia, or the Commonwealth of Puerto Rico for less than 5
493 years, the applicant must submit proof of having been engaged in
494 the full-time practice of dentistry since the date of his or her
495 initial licensure.

496 (II) As used in this section, "full-time practice" is
497 defined as a minimum of 1,200 hours per year for each and every
498 year in the consecutive 5-year period or, where applicable, the
499 period since initial licensure, and must include any combination
500 of the following:

501 (A) Active clinical practice of dentistry providing direct
502 patient care.

503 (B) Full-time practice as a faculty member employed by a
504 dental, dental therapy, or dental hygiene school approved by the
505 board or accredited by the American Dental Association
506 Commission on Dental Accreditation.

507 (C) Full-time practice as a student at a postgraduate
508 dental education program approved by the board or accredited by
509 the American Dental Association Commission on Dental
510 Accreditation.

511 (III) The board shall develop rules to determine what type
512 of proof of full-time practice is required and to recoup the
513 cost to the board of verifying full-time practice under this
514 section. Such proof must, at a minimum, be:

515 (A) Admissible as evidence in an administrative
516 proceeding;

517 (B) Submitted in writing;

518 (C) Submitted by the applicant under oath with penalties
519 of perjury attached;

520 (D) Further documented by an affidavit of someone
521 unrelated to the applicant who is familiar with the applicant's
522 practice and testifies with particularity that the applicant has
523 been engaged in full-time practice; and

524 (E) Specifically found by the board to be both credible
525 and admissible.

526 (IV) An affidavit of only the applicant is not acceptable
527 proof of full-time practice unless it is further attested to by
528 someone unrelated to the applicant who has personal knowledge of
529 the applicant's practice. If the board deems it necessary to
530 assess credibility or accuracy, the board may require the
531 applicant or the applicant's witnesses to appear before the
532 board and give oral testimony under oath.†

533 f. The applicant must submit documentation that he or she
534 has completed, or will complete, prior to licensure in this
535 state, continuing education equivalent to this state's
536 requirements for the last full reporting biennium;

537 g. The applicant must prove that he or she has never been
538 convicted of, or pled nolo contendere to, regardless of
539 adjudication, any felony or misdemeanor related to the practice
540 of a health care profession in any jurisdiction;

541 h. The applicant must successfully pass a written
542 examination on the laws and rules of this state regulating the
543 practice of dentistry and must successfully pass the computer-
544 based diagnostic skills examination; and

545 i. The applicant must submit documentation that he or she
546 has successfully completed the National Board of Dental
547 Examiners dental examination.

548 (6)

549 (b)1. As used in this section, "full-time practice of
550 dentistry within the geographic boundaries of this state within

551 1 year" is defined as a minimum of 1,200 hours in the initial
552 year of licensure, which must include any combination of the
553 following:

554 a. Active clinical practice of dentistry providing direct
555 patient care within the geographic boundaries of this state.

556 b. Full-time practice as a faculty member employed by a
557 dental, dental therapy, or dental hygiene school approved by the
558 board or accredited by the American Dental Association
559 Commission on Dental Accreditation and located within the
560 geographic boundaries of this state.

561 c. Full-time practice as a student at a postgraduate
562 dental education program approved by the board or accredited by
563 the American Dental Association Commission on Dental
564 Accreditation and located within the geographic boundaries of
565 this state.

566 2. The board shall develop rules to determine what type of
567 proof of full-time practice of dentistry within the geographic
568 boundaries of this state for 1 year is required in order to
569 maintain active licensure and shall develop rules to recoup the
570 cost to the board of verifying maintenance of such full-time
571 practice under this section. Such proof must, at a minimum:

572 a. Be admissible as evidence in an administrative
573 proceeding;

574 b. Be submitted in writing;

575 c. Be submitted by the applicant under oath with penalties

576 of perjury attached;

577 d. Be further documented by an affidavit of someone
578 unrelated to the applicant who is familiar with the applicant's
579 practice and testifies with particularity that the applicant has
580 been engaged in full-time practice of dentistry within the
581 geographic boundaries of this state within the last 365 days;
582 and

583 e. Include such additional proof as specifically found by
584 the board to be both credible and admissible.

585 3. An affidavit of only the applicant is not acceptable
586 proof of full-time practice of dentistry within the geographic
587 boundaries of this state within 1 year, unless it is further
588 attested to by someone unrelated to the applicant who has
589 personal knowledge of the applicant's practice within the last
590 365 days. If the board deems it necessary to assess credibility
591 or accuracy, the board may require the applicant or the
592 applicant's witnesses to appear before the board and give oral
593 testimony under oath.

594 Section 7. Section 466.0075, Florida Statutes, is amended
595 to read:

596 466.0075 Applicants for examination; medical malpractice
597 insurance.—The board may require any person applying to take the
598 examination to practice dentistry in this state, the examination
599 to practice dental therapy in this state, or the examination to
600 practice dental hygiene in this state to maintain medical

601 malpractice insurance in amounts sufficient to cover any
 602 incident of harm to a patient during the clinical examination.

603 Section 8. Subsection (1) of section 466.009, Florida
 604 Statutes, is amended, and subsection (4) is added to that
 605 section, to read:

606 466.009 Reexamination.—

607 (1) The department shall allow ~~permit~~ any person who fails
 608 an examination that ~~which~~ is required under s. 466.006, ~~or~~ s.
 609 466.007, or s. 466.0225 to retake the examination. If the
 610 examination to be retaken is a practical or clinical
 611 examination, the applicant shall pay a reexamination fee set by
 612 rule of the board in an amount not to exceed the original
 613 examination fee.

614 (4) If an applicant for a license to practice dental
 615 therapy fails the practical or clinical examination and has
 616 failed one part or procedure of such examination, she or he may
 617 be required to retake only that part or procedure to pass such
 618 examination. However, if any such applicant fails more than one
 619 part or procedure of any such examination, she or he must be
 620 required to retake the entire examination.

621 Section 9. Section 466.011, Florida Statutes, is amended
 622 to read:

623 466.011 Licensure.—The board shall certify for licensure
 624 by the department any applicant who satisfies the requirements
 625 of s. 466.006, s. 466.0067, ~~or~~ s. 466.007, or s. 466.0225. The

626 board may refuse to certify an applicant who has violated ~~any of~~
627 ~~the provisions of~~ s. 466.026 or s. 466.028.

628 Section 10. Section 466.0136, Florida Statutes, is created
629 to read:

630 466.0136 Continuing education; dental therapists.—In
631 addition to any other requirements for relicensure for dental
632 therapists specified in this chapter, the board shall require
633 each licensed dental therapist to complete at least 24 hours,
634 but not more than 36 hours, biennially of continuing education
635 in dental subjects in programs approved by the board or in
636 equivalent programs of continuing education. Programs of
637 continuing education approved by the board must be programs of
638 learning that, in the opinion of the board, contribute directly
639 to the dental education of the dental therapist. An individual
640 who is licensed as both a dental therapist and a dental
641 hygienist may use continuing professional education that is
642 approved for both dental therapy and dental hygiene to satisfy
643 both dental therapy and dental hygiene continuing education
644 requirements. The board shall adopt rules and guidelines to
645 administer and enforce this section. The dental therapist shall
646 retain in her or his records any receipts, vouchers, or
647 certificates necessary to document completion of the continuing
648 education. Compliance with the continuing education requirements
649 is mandatory for issuance of the renewal certificate. The board
650 may excuse licensees, as a group or as individuals, from all or

651 part of the continuing education requirements if an unusual
652 circumstance, emergency, or hardship prevented compliance with
653 this section.

654 Section 11. Section 466.016, Florida Statutes, is amended
655 to read:

656 466.016 License to be displayed.—Every practitioner of
657 dentistry, dental therapy, or dental hygiene within the meaning
658 of this chapter shall post and keep conspicuously displayed her
659 or his license in the office where ~~wherein~~ she or he practices,
660 in plain sight of the practitioner's patients. Any dentist,
661 dental therapist, or dental hygienist who practices at more than
662 one location shall be required to display a copy of her or his
663 license in each office where she or he practices.

664 Section 12. Subsections (7) and (8) of section 466.017,
665 Florida Statutes, are renumbered as subsections (8) and (9),
666 respectively, paragraphs (d) and (e) of subsection (3),
667 subsection (4), and present subsections (7) and (8) of that
668 section are amended, and a new subsection (7) is added to that
669 section, to read:

670 466.017 Prescription of drugs; anesthesia.—

671 (3) The board shall adopt rules which:

672 (d) Establish further requirements relating to the use of
673 general anesthesia or sedation, including, but not limited to,
674 office equipment and the training of dental assistants, dental
675 therapists, or dental hygienists who work with dentists using

676 | general anesthesia or sedation.

677 | (e) Establish an administrative mechanism enabling the
678 | board to verify compliance with training, education, experience,
679 | equipment, or certification requirements of dentists, dental
680 | therapists, dental hygienists, and dental assistants adopted
681 | pursuant to this subsection. The board may charge a fee to
682 | defray the cost of verifying compliance with requirements
683 | adopted pursuant to this paragraph.

684 | (4) A dentist, dental therapist, or dental hygienist who
685 | administers or employs the use of any form of anesthesia must
686 | possess a certification in either basic cardiopulmonary
687 | resuscitation for health professionals or advanced cardiac life
688 | support approved by the American Heart Association or the
689 | American Red Cross or an equivalent agency-sponsored course with
690 | recertification every 2 years. Each dental office that ~~which~~
691 | uses any form of anesthesia must have immediately available and
692 | in good working order such resuscitative equipment, oxygen, and
693 | other resuscitative drugs as are specified by rule of the board
694 | in order to manage possible adverse reactions.

695 | (7) A dental therapist under the general supervision of a
696 | dentist may administer local anesthesia, including intraoral
697 | block anesthesia or soft tissue infiltration anesthesia, or
698 | both, if she or he has completed the course described in
699 | subsection (5) and presents evidence of current certification in
700 | basic or advanced cardiac life support.

701 (8)-(7) A licensed dentist, or a dental therapist who is
702 authorized by her or his supervising dentist, may operate
703 ~~utilize~~ an X-ray machine, expose dental X-ray films, and
704 interpret or read such films. Notwithstanding ~~The provisions of~~
705 part IV of chapter 468 ~~to the contrary notwithstanding,~~ a
706 licensed dentist, or a dental therapist who is authorized by her
707 or his supervising dentist, may authorize or direct a dental
708 assistant to operate such equipment and expose such films under
709 her or his direction and supervision, pursuant to rules adopted
710 by the board in accordance with s. 466.024 which ensure that the
711 ~~said~~ assistant is competent by reason of training and experience
712 to operate the X-ray ~~said~~ equipment in a safe and efficient
713 manner. The board may charge a fee not to exceed \$35 to defray
714 the cost of verifying compliance with requirements adopted
715 pursuant to this section.

716 (9)-(8) Notwithstanding ~~The provisions of~~ s. 465.0276
717 ~~notwithstanding,~~ a dentist need not register with the board or
718 comply with the continuing education requirements of that
719 section if the dentist confines her or his dispensing activity
720 to the dispensing of fluorides and chlorhexidine ~~ehlorhexidine~~
721 rinse solutions; provided that the dentist complies with and is
722 subject to all laws and rules applicable to pharmacists and
723 pharmacies, including, but not limited to, chapters 465, 499,
724 and 893, and all applicable federal laws and regulations, when
725 dispensing such products.

726 Section 13. Subsection (1) of section 466.018, Florida
727 Statutes, is amended to read:

728 466.018 Dentist of record; patient records.—

729 (1) Each patient shall have a dentist of record. The
730 dentist of record shall remain primarily responsible for all
731 dental treatment on such patient regardless of whether the
732 treatment is rendered by the dentist or by another dentist,
733 dental therapist, dental hygienist, or dental assistant
734 rendering such treatment in conjunction with, at the direction
735 or request of, or under the supervision of such dentist of
736 record. The dentist of record shall be identified in the record
737 of the patient. If treatment is rendered by a dentist other than
738 the dentist of record or by a dental hygienist, dental
739 therapist, or dental assistant, the name or initials of such
740 person shall be placed in the record of the patient. In any
741 disciplinary proceeding brought pursuant to this chapter or
742 chapter 456, it shall be presumed as a matter of law that
743 treatment was rendered by the dentist of record unless otherwise
744 noted on the patient record pursuant to this section. The
745 dentist of record and any other treating dentist are subject to
746 discipline pursuant to this chapter or chapter 456 for treatment
747 rendered to the patient and performed in violation of such
748 chapter. One of the purposes of this section is to ensure that
749 the responsibility for each patient is assigned to one dentist
750 in a multidentist practice of any nature and to assign primary

751 responsibility to the dentist for treatment rendered by a dental
752 hygienist, dental therapist, or dental assistant under her or
753 his supervision. This section shall not be construed to assign
754 any responsibility to a dentist of record for treatment rendered
755 pursuant to a proper referral to another dentist who does not ~~in~~
756 practice with the dentist of record or to prohibit a patient
757 from voluntarily selecting a new dentist without permission of
758 the dentist of record.

759 Section 14. Section 466.0225, Florida Statutes, is created
760 to read:

761 466.0225 Examination of dental therapists; licensing.—

762 (1) Any person desiring to be licensed as a dental
763 therapist must apply to the department to take the licensure
764 examinations and shall verify the information required on the
765 application by oath. The application must include two recent
766 photographs of the applicant.

767 (2) An applicant is entitled to take the examinations
768 required under this section and receive licensure to practice
769 dental therapy in this state if the applicant meets all of the
770 following requirements:

771 (a) Is 18 years of age or older.

772 (b) Is a graduate of a dental therapy college or school
773 accredited by the American Dental Association Commission on
774 Dental Accreditation or its successor entity, if any, or any
775 other dental therapy accrediting entity recognized by the United

776 States Department of Education. For applicants applying for a
777 dental therapy license before January 1, 2025, the board shall
778 approve the applicant's dental therapy education program if the
779 program was administered by a college or school that operates an
780 accredited dental or dental hygiene education program and the
781 college or school certifies to the board that the applicant's
782 education substantially conformed to the education standards
783 established by the American Dental Association Commission on
784 Dental Accreditation.

785 (c) Has successfully completed a dental therapy practical
786 or clinical examination produced by the American Board of Dental
787 Examiners, Inc., (ADEX) or its successor entity, if any, if the
788 board finds that the successor entity's examination meets or
789 exceeds the provisions of this section. If an applicant fails to
790 pass such an examination after three attempts, the applicant is
791 not eligible to retake the examination unless the applicant
792 completes additional education requirements as specified by the
793 board. If a dental therapy examination has not been established
794 by the ADEX, the board shall administer or approve an
795 alternative examination.

796 (d) Has not been disciplined by a board, except for
797 citation offenses or minor violations.

798 (e) Has not been convicted of or pled nolo contendere to,
799 regardless of adjudication, any felony or misdemeanor related to
800 the practice of a health care profession.

801 (f) Has successfully completed a written examination on
 802 the laws and rules of this state regulating the practice of
 803 dental therapy.

804 (3) An applicant who meets the requirements of this
 805 section and who has successfully completed the examinations
 806 identified in paragraph (2) (c) in a jurisdiction other than this
 807 state, or who has successfully completed comparable examinations
 808 administered or approved by the licensing authority in a
 809 jurisdiction other than this state, shall be licensed to
 810 practice dental therapy in this state if the board determines
 811 that the other jurisdiction's examinations and scope of practice
 812 are substantially similar to those identified in paragraph
 813 (2) (c).

814 Section 15. Section 466.0227, Florida Statutes, is created
 815 to read:

816 466.0227 Dental therapists; scope and area of practice.—

817 (1) The Legislature finds that authorizing licensed dental
 818 therapists to perform the services specified in subsection (3)
 819 would improve access to high-quality, affordable oral health
 820 services for all residents in this state. The Legislature
 821 intends to rapidly improve such access for low-income,
 822 uninsured, and underserved patients and communities. To further
 823 this intent, a dental therapist licensed under this chapter is
 824 limited to practicing dental therapy in the following settings:

825 (a) A health access setting, as defined in s. 466.003.

826 (b) A community health center, including an off-site care
827 setting.

828 (c) A nursing facility.

829 (d) A military or veterans' hospital or clinic, including
830 an off-site care setting.

831 (e) A governmental or public health clinic, including an
832 off-site care setting.

833 (f) A school, Head Start program, or school-based
834 prevention program, as defined in s. 466.003.

835 (g) An oral health education institution, including an
836 off-site care setting.

837 (h) A hospital.

838 (i) A geographic area designated as a dental health
839 professional shortage area by the state or the Federal
840 Government.

841 (j) Any other clinic or practice setting if at least 50
842 percent of the patients served by the dental therapist in such
843 clinic or practice setting:

844 1. Are enrolled in Medicaid or another state or local
845 governmental health care program for low-income or uninsured
846 patients; or

847 2. Do not have dental insurance and report a gross annual
848 income that is less than 200 percent of the applicable federal
849 poverty guidelines.

850 (2) Except as otherwise provided in this chapter, a dental

851 therapist may perform the dental therapy services specified in
852 subsection (3) under the general supervision of a dentist to the
853 extent authorized by the supervising dentist and provided within
854 the terms of a written collaborative management agreement signed
855 by the dental therapist and the supervising dentist which meets
856 the requirements of subsection (4).

857 (3) Dental therapy services include all of the following:

858 (a) All services, treatments, and competencies identified
859 by the American Dental Association Commission on Dental
860 Accreditation in its Dental Therapy Education Accreditation
861 Standards.

862 (b) The following state-specific services, if the dental
863 therapist's education included curriculum content satisfying the
864 American Dental Association Commission on Dental Accreditation
865 criteria for state-specific dental therapy services:

866 1. Evaluating radiographs.

867 2. Placement of space maintainers.

868 3. Pulpotomies on primary teeth.

869 4. Dispensing and administering nonopioid analgesics
870 including nitrous oxide, anti-inflammatories, and antibiotics as
871 authorized by the supervising dentist and within the parameters
872 of the collaborative management agreement.

873 5. Oral evaluation and assessment of dental disease and
874 formulation of an individualized treatment plan if authorized by
875 a supervising dentist and subject to any conditions,

876 limitations, and protocols specified by the supervising dentist
877 in the collaborative management agreement.

878 (4) Before performing any of the services authorized in
879 subsection (3), a dental therapist must enter into a written
880 collaborative management agreement with a supervising dentist.
881 The agreement must be signed by the dental therapist and the
882 supervising dentist and must include:

883 (a) Any limitations on the practice settings, services,
884 and populations that may be provided, otherwise, the full scope
885 of practice is permitted under such agreements.

886 (b) A procedure for creating and maintaining dental
887 records for the patients who are treated by the dental
888 therapist.

889 (c) A plan to manage medical emergencies in each practice
890 setting where the dental therapist provides care.

891 (d) A quality assurance plan for monitoring care provided
892 by the dental therapist, including patient care review, referral
893 followup, and a quality assurance chart review.

894 (e) Protocols for the dental therapist to administer and
895 dispense medications, including the specific conditions and
896 circumstances under which the medications are to be dispensed
897 and administered.

898 (f) Criteria relating to the provision of care by the
899 dental therapist to patients with specific medical conditions or
900 complex medication histories, including requirements for

901 consultation before the initiation of care.

902 (g) Supervision criteria of dental therapists.

903 (h) A plan for the provision of clinical resources and
904 referrals in situations that are beyond the capabilities of the
905 dental therapist.

906 (5) A supervising dentist shall determine the number of
907 hours of practice a dental therapist must complete under direct
908 or indirect supervision of the supervising dentist before the
909 dental therapist may perform any of the services authorized in
910 subsection (3) under general supervision.

911 (6) A supervising dentist may restrict or limit the dental
912 therapist's practice in a collaborative management agreement to
913 be less than the full scope of practice for dental therapists
914 which is authorized in subsection (3).

915 (7) A supervising dentist may authorize a dental therapist
916 to provide dental therapy services to a patient before the
917 dentist examines or diagnoses the patient if the authority,
918 conditions, and protocols are established in a written
919 collaborative management agreement and if the patient is
920 subsequently referred to a dentist for any needed additional
921 services that exceed the dental therapist's scope of practice or
922 authorization under the collaborative management agreement.

923 (8) A supervising dentist must be licensed and practicing
924 in this state. The supervising dentist is responsible for all
925 services authorized and performed by the dental therapist

926 pursuant to the collaborative management agreement and for
927 providing or arranging followup services to be provided by a
928 dentist for those services that are beyond the dental
929 therapist's scope of practice and authorization under the
930 collaborative management agreement.

931 Section 16. Section 466.026, Florida Statutes, is amended
932 to read:

933 466.026 Prohibitions; penalties.—

934 (1) Each of the following acts constitutes a felony of the
935 third degree, punishable as provided in s. 775.082, s. 775.083,
936 or s. 775.084:

937 (a) Practicing dentistry, dental therapy, or dental
938 hygiene unless the person has an appropriate, active license
939 issued by the department pursuant to this chapter.

940 (b) Using or attempting to use a license issued pursuant
941 to this chapter which license has been suspended or revoked.

942 (c) Knowingly employing any person to perform duties
943 outside the scope allowed such person under this chapter or the
944 rules of the board.

945 (d) Giving false or forged evidence to the department or
946 board for the purpose of obtaining a license.

947 (e) Selling or offering to sell a diploma conferring a
948 degree from a dental college, dental therapy or dental hygiene
949 school or college, or a license issued pursuant to this chapter,
950 or procuring such diploma or license with intent that it shall

951 be used as evidence of that which the document stands for, by a
952 person other than the one upon whom it was conferred or to whom
953 it was granted.

954 (2) Each of the following acts constitutes a misdemeanor
955 of the first degree, punishable as provided in s. 775.082 or s.
956 775.083:

957 (a) Using the name or title "dentist," the letters
958 "D.D.S." or "D.M.D.", or any other words, letters, title, or
959 descriptive matter which in any way represents a person as being
960 able to diagnose, treat, prescribe, or operate for any disease,
961 pain, deformity, deficiency, injury, or physical condition of
962 the teeth or jaws or oral-maxillofacial region unless the person
963 has an active dentist's license issued by the department
964 pursuant to this chapter.

965 (b) Using the name "dental hygienist" or the initials
966 "R.D.H." or otherwise holding herself or himself out as an
967 actively licensed dental hygienist or implying to any patient or
968 consumer that she or he is an actively licensed dental hygienist
969 unless that person has an active dental hygienist's license
970 issued by the department pursuant to this chapter.

971 (c) Using the name "dental therapist" or the initials
972 "D.T." or otherwise holding herself or himself out as an
973 actively licensed dental therapist or implying to any patient or
974 consumer that she or he is an actively licensed dental therapist
975 unless that person has an active dental therapist's license

976 | issued by the department pursuant to this chapter.

977 | ~~(d)(e)~~ Presenting as her or his own the license of
978 | another.

979 | ~~(e)(d)~~ Knowingly concealing information relative to
980 | violations of this chapter.

981 | ~~(f)(e)~~ Performing any services as a dental assistant as
982 | defined herein, except in the office of a licensed dentist,
983 | unless authorized by this chapter or by rule of the board.

984 | Section 17. Paragraphs (b), (c), (g), (s), and (t) of
985 | subsection (1) of section 466.028, Florida Statutes, are amended
986 | to read:

987 | 466.028 Grounds for disciplinary action; action by the
988 | board.—

989 | (1) The following acts constitute grounds for denial of a
990 | license or disciplinary action, as specified in s. 456.072(2):

991 | (b) Having a license to practice dentistry, dental
992 | therapy, or dental hygiene revoked, suspended, or otherwise
993 | acted against, including the denial of licensure, by the
994 | licensing authority of another state, territory, or country.

995 | (c) Being convicted or found guilty of or entering a plea
996 | of nolo contendere to, regardless of adjudication, a crime in
997 | any jurisdiction which relates to the practice of dentistry,
998 | dental therapy, or dental hygiene. A plea of nolo contendere
999 | shall create a rebuttable presumption of guilt to the underlying
1000 | criminal charges.

1001 (g) Aiding, assisting, procuring, or advising any
 1002 unlicensed person to practice dentistry, dental therapy, or
 1003 dental hygiene contrary to this chapter or to a rule of the
 1004 department or the board.

1005 (s) Being unable to practice her or his profession with
 1006 reasonable skill and safety to patients by reason of illness or
 1007 use of alcohol, drugs, narcotics, chemicals, or any other type
 1008 of material or as a result of any mental or physical condition.
 1009 In enforcing this paragraph, the department shall have, upon a
 1010 finding of the State Surgeon General or her or his designee that
 1011 probable cause exists to believe that the licensee is unable to
 1012 practice dentistry, dental therapy, or dental hygiene because of
 1013 the reasons stated in this paragraph, the authority to issue an
 1014 order to compel a licensee to submit to a mental or physical
 1015 examination by physicians designated by the department. If the
 1016 licensee refuses to comply with such order, the department's
 1017 order directing such examination may be enforced by filing a
 1018 petition for enforcement in the circuit court where the licensee
 1019 resides or does business. The licensee against whom the petition
 1020 is filed shall not be named or identified by initials in any
 1021 public court records or documents, and the proceedings shall be
 1022 closed to the public. The department shall be entitled to the
 1023 summary procedure provided in s. 51.011. A licensee affected
 1024 under this paragraph shall at reasonable intervals be afforded
 1025 an opportunity to demonstrate that she or he can resume the

1026 competent practice of her or his profession with reasonable
 1027 skill and safety to patients.

1028 (t) Fraud, deceit, or misconduct in the practice of
 1029 dentistry, dental therapy, or dental hygiene.

1030 Section 18. Paragraphs (a) and (b) of subsection (1) of
 1031 section 466.0285, Florida Statutes, are amended to read:

1032 466.0285 Proprietorship by nondentists.—

1033 (1) No person other than a dentist licensed pursuant to
 1034 this chapter, nor any entity other than a professional
 1035 corporation or limited liability company composed of dentists,
 1036 may:

1037 (a) Employ a dentist, a dental therapist, or a dental
 1038 hygienist in the operation of a dental office.

1039 (b) Control the use of any dental equipment or material
 1040 while such equipment or material is being used for the provision
 1041 of dental services, whether those services are provided by a
 1042 dentist, a dental therapist, a dental hygienist, or a dental
 1043 assistant.

1044
 1045 Any lease agreement, rental agreement, or other arrangement
 1046 between a nondentist and a dentist whereby the nondentist
 1047 provides the dentist with dental equipment or dental materials
 1048 shall contain a provision whereby the dentist expressly
 1049 maintains complete care, custody, and control of the equipment
 1050 or practice.

1051 Section 19. The Department of Health, in consultation with
1052 the Board of Dentistry and the Agency for Health Care
1053 Administration, shall submit a progress report to the President
1054 of the Senate and the Speaker of the House of Representatives by
1055 July 1, 2023, and a final report 3 years after the first dental
1056 therapy license is issued. The reports must include all of the
1057 following components:

1058 (1) The progress that has been made in this state to
1059 implement dental therapy training programs, licensing, and
1060 Medicaid reimbursement.

1061 (2) Data demonstrating the effects of dental therapy in
1062 this state on all of the following:

1063 (a) Patient access to dental service.

1064 (b) The use of primary and preventive dental services in
1065 underserved regions and populations, including the Medicaid
1066 population.

1067 (c) Costs to dental providers, patients, dental insurance
1068 carriers, and the state.

1069 (d) The quality and safety of dental services.

1070 (3) Specific recommendations for any necessary
1071 legislative, administrative, or regulatory reform relating to
1072 the practice of dental therapy.

1073 (4) Any other information the department deems
1074 appropriate.

1075 Section 20. This act shall take effect July 1, 2020.